IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

WRIT PETITION NO. 316 OF 2001

PETITIONER

1. The State of Chhattisgarh
Through The Secretary
Ministry of Public Health
and Family Welfare
Chhattisgarh
Raipur, Chhattisgarh

2. Director
Public Health and Family
Welfare Department
Chhattisgarh
Raipur, Chhattisgarh

3. The Joint Director
Cum-Superintendent
Medical College Hospital,
Raipur, Chhattisgarh

3.6.01
26.2.07

VERSUS

RESPONDENT

1. Dr. Jaspal Jaswani
Aged about 42 years
S/o Late Shri Bachan Singh
R/o Veer Sawarkar Nagar
Raipur, Chhattisgarh

2. The Registrar
M.P. Administrative Tribunal
Bench At **Raipur**
Chhattisgarh

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

HIGH COURT OF JUDICATURE AT BILASPUR: CHHATTISGARH
DIVISION BENCH

CORAM: **HON'BLE SHRI H.L. DATTU, CJ AND**
HON'BLE SHRI V.K. SHRIVASTAVA, J.

Writ Petition No.316 of 2001

PETITIONERS The State of Chhattisgarh & others.

VERSUS

RESPONDENTS Dr. Jaspal Jaswani and another.

Present: Shri Sanjay S. Agrawal, Govt. Advocate for the State/petitioners.
Shri A.S. Gaharwar, counsel for the respondent No.1.

ORAL ORDER

(Passed on 28th February, 2007)

The following oral order of the Court was passed by **H.L. Dattu, C.J.**

The State of Chhattisgarh, inter alia calls in question the interim order passed by the State Administrative Tribunal in O.A. No. 140 of 1999. By the impugned order, the Tribunal has granted the interim order of stay in favour of the petitioners.

(2) A writ Court ordinarily does not interfere with the interim order passed by the Tribunal unless and until the same is so arbitrary and without jurisdiction. In the present case, we do not find any one of the aforesaid ingredients. Therefore, this writ petition requires to be rejected and it is rejected. The petitioners are at liberty to raise all such contentions raised in this petition in O.A. No. 140 of 1999 which has since been transferred to this Court from the State Administrative Tribunal and renumbered as Writ Petition. Ordered accordingly.

Sd/-
Chief Justice

Sd/-
V.K. Shrivatava
Judge